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OCT 10 2001

3 MR. SEWELL: Hello, I'm Christopher Sewell,  
4 S-E-W-A-L-L. I've lived in Crescent Valley for over eight  
5 years now and I work with the Western Shoshone Defense  
6 Project, a nonprofit organization set up to protect and  
7 preserve the Western Shoshone rights and lands for present  
8 and future generations.

9 I speak to you here mostly as a U.S. citizen who  
10 has grave concerns over the Yucca Mountain project and the  
11 means by which the Department of Energy has claims to have  
12 evaluated the environmental and human impacts of this  
13 proposal.

14 The first thing I want to mention is perhaps the  
15 most important of all is the ability of our country, our  
16 government, our federal government to keep long-term  
17 commitments to make long-term promises and keep those  
18 promises.

19 In 1863, the United States entered into a treaty  
20 of peace and friendship with the Western Shoshone nation  
21 in whose territory Yucca Mountain is proposed for and must  
22 be routed the waste into the Yucca Mountain.

23 In this treaty of peace and friendship many  
24 things were agreed to. Primarily the agreement on the

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1 part of Western Shoshone people to share their lands for  
2 the specific defined purposes, purposes they granted to  
3 the U.S. and United States and citizens such as the right  
4 to pass through the territory, to set up a telegraph, a  
5 railroad, to set up ranches and to mine.

6 However, there is nothing in that treaty that  
7 ceded lands from the Western Shoshone nation to the United  
8 States and there is nothing in that treaty suggesting that  
9 the Western Shoshone ever agreed to having their lands be  
10 used as a dump site for whatever purpose by the United  
11 States.

12 Treaties are made between nations. You don't  
13 make a treaty with a county, state or a town. Nations are  
14 inherently self governing. The U.S. has a real bad track  
15 record in keeping the promises and respecting the treaties  
16 as made with the Indian nations within its borders.

17 It was a long-term commitment, a long-term  
18 promise, and it's been broken again and again.

19 And now, the Department of Energy comes forth as  
20 a representative of the federal government and is  
21 promising that in this project, the implementation of the  
22 project that it can protect the long-term health of the

23 citizens of this country and the environment in which they  
24 rely upon.

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1 This is a promise that has to hold true for not  
2 only decades, not centuries but thousands and thousands of  
3 years.

4 Now looking at our track record of honoring  
5 long-term promises we have a treaty that's 150 years old,  
6 that was broken soon after it was signed.

7 What can we expect from the Department of Energy  
8 ten years from now, 20 years from now, one hundred years  
9 from now?

10 I don't think the way in which the Department of  
11 Energy has tried to take public comment on this leaves  
12 much to be desired either. The public notice for this  
13 meeting was far too short, should have had at least a  
14 month advance notice before this meeting but instead had  
15 less than two weeks.

16 I would like to know personally how the DOE has  
17 responded to all the previous public comments. Earlier  
18 today talking to the DOE representatives here or the  
19 contractors working for them nobody could tell me how any  
20 of our previous comments have entered into the DOE's

21 plans.

22 I think the fact that the DOE has separated the  
23 analysis of the transportation of this waste from the  
24 construction of it -- from the analysis of the facility  
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1 itself is criminally wrong.

2 Without the waste there is no facility at Yucca  
3 Mountain. You have to get it there. You can't separate  
4 the analysis of transporting the waste from the  
5 construction, safety and evaluation of the facility  
6 itself.

7 Yet here we are today and we still don't know  
8 how the waste is getting here.

9 Of particular concern is your little posters  
10 over here on how the casks are tested. I see that you are  
11 planning on dropping it 30 feet, dropping it a couple of  
12 feet on to the steel pole, immersing it under three feet  
13 of water and subjecting for a half hour of burning.

14 Well, I grew up down the road from a nuclear  
15 power plant in Maine, Maine Yankee and just recently I was  
16 back in Maine visiting my family. About a week ago I  
17 drove back from Maine all the way to Crescent Valley and,  
18 you know, I found myself crossing over a lot of bridges

19 that were higher than 30 feet that had more steel than a  
20 6-inch piece of metal that crossed over a lot of bodies of  
21 water that were deeper than three feet.

22 I don't think I need to remind you about the  
23 events of September 11th and the kind of energy and flames  
24 that were created by the impact of the jets in the World  
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1 Trade Centers.

2 So I think the fact that you say you are  
3 protecting public safety, these tests on the casks that  
4 you are proposing are entirely insufficient, kind of  
5 making a mockery of that.

6 If you are going to be protecting public safety,  
7 then you need to plan for a worst-case scenario. None of  
8 those tests involve a worst-case scenario. I guess that's  
9 all I have to say at the moment.

10 I want to go back to that treaty again, treaty  
11 that was in agreement between two nations. It was an  
12 international agreement.

13 If we can't keep our promises that have already  
14 been made, what is there to make us to think that the  
15 promises that are being made now will be kept?

16 I hope that the U.S. will act with honor and

17 integrity and respect its own constitution before any  
18 further attempt to site any kind of nuclear waste in  
19 Western Shoshone is made -- Western Shoshone territory,  
20 that the U.S. enter into negotiations with the Western  
21 Shoshone Nation.

22 If it is the desire of the United States to site  
23 nuclear waste in the Western Shoshone territory then they  
24 should go and renegotiate that treaty to allow for that.

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1 But without the consent of the Western Shoshone  
2 people, you're trampling on their human rights and making  
3 a mockery of our own constitution.

4 That's all I have to say right now. Thank you.